IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12070 of 2004

Between:

1. B. Jyothi, W/o Subba Rao,
   R/o D.No. 16/678-44, Kota Subbarathnamma Enclave, Siddavtam Road, Cuddapah Town & District

2. G.Lakshmisetti, S/o Lakshmisetti,
   Mannur Village, Rajampet Mandal, Cuddapah District.

..... PETITIONERS.

AND

1 The Revenue Divisional Officer, Cuddapah Revenue Division, Cuddapah, Cuddapah Disrict.
2 The Mandal Revenue Officer, Cuddapah Mandal, Cuddapah District.
3 Shaik Abdul Shahid, W/o Wazid,
R/o D.No. 19/383, Hazi Gaffoorsab Street, Cuddapah Town & District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the impugned proceedings in Ref.SDT61/03, dated 21-3-2004 issued by the 2nd respondent as arbitrary, illegal, without jurisdiction and quite contrary to the provisions of A.P. Rights in land and Pattadar Pass Books Act, 1971 and A.P. Rights in Land and Pattadar Pass Book Rules, 1989 and violation of the principals of natural justice apart from violative of the fundamental rights guaranteed to the petitioners under Articles 1, 19 (1) (g) and 21 of the Constitution of India

Counsel for the Petitioner:MR.V.R.REDDY KOVVURI

Counsel for the Respondent Nos.1 & 2.: GP FOR REVENUE

Counsel for the Respondent No.3: None appeared.

The Court made the following :

ORDER:

-

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

A reading of the impugned order dated 21-3-2004, passed by the 2nd respondent-Mandal Revenue Officer, the petitioner has got a remedy of appeal thereagainst before the 1st respondent-Revenue Divisional Officer. The petitioner without availing the said remedy has directly approached this Court.

In the circumstances, the writ petition is disposed of directing the petitioners to avail the remedy of appeal available to them against the impugned order, before the 1st respondent, within a period of two weeks from the date of receipt of a copy of this order. On the appeal being filed, the 1st respondent shall consider and dispose of the same in accordance with law, expeditiously. No costs.

_____

N.V. RAMANA, J.

ASSISTANT REGISTRAR.

// true copy //

Section Officer.

Date: July 15, 2004.

CHVN/KSR

To

1 The Revenue Divisional Officer, Cuddapah Revenue Division, Cuddapah, Cuddapah Disrict.
2 The Mandal Revenue Officer, Cuddapah Mandal, Cuddapah

District.
3. Two C.Cs. to G.P. for Revenue, High Court Buildings,

Hyderabad(OUT)

4. Two C.Ds.